

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
KLAMATH COUNTY**

**IN THE MATTER OF THE APPEAL OF PLANNING DIRECTOR DECISION  
CONCERNING TUP 17-98, Jeff ANDERSON, APPELLANT**

**1. SCOPE OF THE HEARING:**

The referenced case, an application to permit temporary occupancy on property during development of a site was considered and DENIED by the Planning Director August 18, 1998. The applicant filed an appeal of this decision August 25, 1998. A hearing on this appeal was conducted by the Board of County Commissioners September 22, 1998.

The appeal was heard pursuant to the procedure set out in Article 33 of the Klamath County Land Development Code.

**2. THOSE WHO PARTICIPATED:**

A notarized listing of those who participated at this Hearing is on file with the Planning Department. The Planning Department was represented by Kim Lundahl, Senior Planner. Karen Burg, Planning Assistant, was the recording secretary. Members of the Board who heard the appeal were: William R. Garrard, M. Steven West and Al Switzer.

**3. CASE DESCRIPTION:**

The Planning Director determined upon administrative review the situation would impact adjacent and nearby property owners livability and enjoyment of their properties AND found TUPS may only be approved if a building permit has been issued for the primary development. The Planning Director informed the Applicant and Participants of this determination August 18, 1998. The property is described as the S ½ Lot 8, Blk 6 Cedar Trails and is zoned for Rural uses.

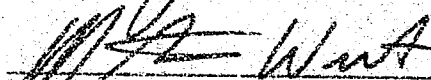
The appellant appeared and argued the contentions set out in the Letter of Appeal dated August 25, 1998.


**4. ORDER:**

The Board of County Commissioners, upon consideration of the Record, Evidence and Testimony entered finds the Planning Director correctly applied the Code and DENYS the appeal.

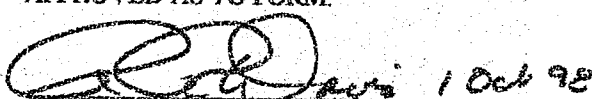
DATED this 5<sup>th</sup> day of OCTOBER, 1998

  
William R. Garfield, Chair

  
M. Steven West, Commissioner

  
Al Switzer, Commissioner

APPROVED AS TO FORM:

 1 Oct 98  
Reginald R. Davis, County Counsel

**APPEAL RIGHTS:**

This decision may be appealed to the Land Use Board of Appeals within 21 days of the date of execution by the BOCC. Please contact the Planning Department for information as to this procedure. Failure to file an appeal within the allowed timeframe may affect your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Klamath County the 7th day  
of October A.D., 19 98 at 2:14 o'clock P.M., and duly recorded in Vol. 498  
of Deeds on Page 36966.

Return: Commissioners Journal

Bernetha G. Letsch, County Clerk

FEE No Fee

By 